



A32934 070416.0254
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


Applicant : Ki-Seung Choi et al.
Serial No. : 09/831,929 Examiner : Channavajjala, Lakshmi S.
Filed : June 29, 2001 Group Art Unit : 1615
For : BIOCIDE COMPOSITION AND STERILIZATION METHOD USING
THE SAME

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

October 30, 2003
Date of Deposit

Peter J. Shen
Attorney Name


Signature

52,217
PTO Registration No.

October 30, 2003
Date of Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §1.56 and §1.97(c)(2), Applicants respectfully request that the documents relating to the above-identified application listed herein in reverse chronological alphabetical order (but see below) be considered and made of record in the U.S. Patent and Trademark Office.

11/05/2003 BSAYASI1 00000017 09831929

02 FC:1806

180.00 OP

1. American Type Culture Collection, "Bacillus subtilis ATCC 6984"
[retrieved on October 18, 2003] Retrieved from the Internet: <URL:
<http://www.atcc.org/SearchCatalogs/Bacteria.cfm>>;
2. American Type Culture Collection, "Enterobacter aerogenes ATCC
13048" [retrieved on October 18, 2003] Retrieved from the Internet:
<URL: <http://www.atcc.org/SearchCatalogs/Bacteria.cfm>>;
3. American Type Culture Collection, "Escherichia coli ATCC 11229"
[retrieved on October 18, 2003] Retrieved from the Internet: <URL:
<http://www.atcc.org/SearchCatalogs/Bacteria.cfm>>;
4. American Type Culture Collection, "Klebsiella pneumoniae ATCC 1560"
[retrieved on October 18, 2003] Retrieved from the Internet: <URL:
<http://www.atcc.org/SearchCatalogs/Bacteria.cfm>>;
5. American Type Culture Collection, "Micrococcus luteus ATCC 9341"
[retrieved on October 18, 2003] Retrieved from the Internet: <URL:
<http://www.atcc.org/SearchCatalogs/Bacteria.cfm>>;
6. American Type Culture Collection, "Pseudomonas aeruginosa ATCC
15442" [retrieved on October 18, 2003] Retrieved from the Internet:
<URL: <http://www.atcc.org/SearchCatalogs/Bacteria.cfm>>;
7. American Type Culture Collection, "Staphylococcus aureus ATCC 6538"
[retrieved on October 18, 2003] Retrieved from the Internet: <URL:
<http://www.atcc.org/SearchCatalogs/Bacteria.cfm>>;
8. American Type Culture Collection, "Staphylococcus epidermis ATCC
155" [retrieved on October 18, 2003] Retrieved from the Internet: <URL:
<http://www.atcc.org/SearchCatalogs/Bacteria.cfm>>;

9. Hahn SJ et al., U.S. Patent No. 6,399,827 issued June 4, 2002;
10. Hahn SJ et al., U.S. Patent Publication No. 2002/0065251 published May 30, 2002;
11. Laopaiboon L et al., 2002, "The effect of a quaternary ammonium biocide on the performance and characteristics of laboratory-scale rotating biological contactors" J Appl Microbiol 93(6):1051-1058;
12. Cho MH et al., Korean Patent Application No. 97-80170 filed December 31, 1997, published as Korean Patent Publication No. 99059956 on July 26, 1999, and issued as Korean Patent No. KR315439 on October 11, 2002;
13. Cho CM et al., Korean Patent Application No. 97-46517 filed September 10, 1997 and published as Korean Patent Publication No. 99025064 on March 18, 1999 (copy not provided; see below);
14. Rao NM et al., European Patent No. EP0773298 published May 14, 1997;
15. Korean Patent Application No. 89-20381 (copy not provided; see below);
16. Ehlers HH et al., U.S. Patent No. 4,379,137 issued April 5, 1983;
17. Lewis SN et al., U.S. Patent No. 4,279,762 issued July 21, 1981;
18. Lewis SN et al., U.S. Patent No. 4,105,431 issued August 8, 1978;
19. Lewis SN et al., U.S. Patent No. 3,761,488 issued September 25, 1973;
and
20. Kull FC et al, 1961, "Mixtures of quaternary ammonium compounds and long-chain fatty acids as antifungal agents" *Appl. Microbiol.* 9:538-541.

Applicants have also enclosed a copy of the Preliminary Examination Report for International patent Application PCT/KR99/00687 filed November 16, 1999 (Tab 21).

The referenced citations are listed in the accompanying PTO Form 1449. A copy of the documents are also submitted herewith in one bound volume, except where otherwise indicated. Documents 1-8 were retrieved from the internet and are listed in conformity with MPEP § 707.05(e). Applicants have listed the foregoing citations in reverse chronological alphabetical order except that documents retrieved from the internet have been listed according to their last printing date.

Documents 9 and 10 are thought, on the basis of information and belief, to correspond to document 13. *See* print-out from <http://www.dialogweb.com> at tab 13. Therefore, no copy or English abstract of document 13 has been provided pursuant to 37 C.F.R § 1.98(c).

On the basis of information and belief, Document 12 is in Korean and the undersigned is not aware of a published English translation or abstract of Document 12. *See e.g.* print-out from <http://www.dialogweb.com> at tab 12.

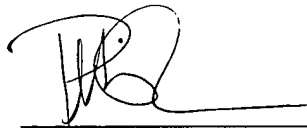
On the basis of information and belief, Document 15 is in Korean and the undersigned is not aware of a published English translation or abstract of Document 15. *See e.g.* print-out from <http://www.dialogweb.com> at tab 15.

Identification of the documents listed in the attached Form PTO-1449 is not to be construed as an admission of Applicants, Attorneys for Applicants, or Agent for Applicants that such documents are available as “prior art” against the above-identified application. On the contrary, all grounds for demonstrating patentability of the instant invention over these documents are expressly reserved.

Applicants enclose herewith the fee required pursuant to 37 C.F.R. § 1.17(p) and 1.97(c)(2). Applicants do not believe that any additional fees are required with this paper. Nevertheless, the Commissioner is hereby authorized to charge any fees occasioned by this submission not otherwise enclosed herewith to Deposit Account No. 02-4377. Please credit any overpayment of fees associated with this filing to the above-identified deposit account. A duplicate of this page is enclosed.

Respectfully submitted,

BAKER BOTTS, L.L.P.



October 30, 2003

By

Neil P. Sirota
PTO Reg. No. 38,306

Peter J. Shen
PTO Reg. No. 52,217
Attorneys for Applicants

Guy F. Birkenmeier
PTO Reg. No. 52,622
Agent for Applicants

BAKER BOTTS, L.L.P.
30 Rockefeller Plaza
New York, NY 10112
(212) 408-2500

Enclosures

Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Atty. Docket No. A34293-PCT-USA	Serial No. 09/831,929
	Applicant Ki-Seung Choi et al.	
	Filing Date June 29, 2001	Group 1615

U.S. PATENT DOCUMENTS

*Exam. Init.	Document No.	Date	Name	Class	Subclass	Filing Date if Appropriate
9.	6 3 9 9 8 2 7	06/04/2002	Hahn SJ et al.			
10.	2002 0 0 6 5 2 5 1	05/30/2002	Hahn SJ et al.			
16.	4 3 7 9 1 3 7	04/05/1983	Ehlers HH et al.			
17.	4 2 7 9 7 6 2	07/21/1981	Lewis SN et al.			
18.	4 1 0 5 4 3 1	08/08/1978	Lewis SN et al.			
19.	3 7 6 1 4 8 8	09/25/1973	Lewis SN et al.			

FOREIGN PATENT DOCUMENT

Document No.	Date	Country	Class	SubClass	Translator Yes No
12. 9 9 0 5 9 9 5 6	07/26/1999	Korea (KR)			
13. 9 9 0 2 5 0 6 4	03/18/1999	Korea (KR)			
14. 0 7 7 3 2 9 8	05/14/1997	Europe (EP)			
15. 8 9 2 0 3 8 1	1989	Korea (KR)			

OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.)

1.	American Type Culture Collection, "Bacillus subtilis ATCC 6984" [retrieved on October 18, 2003] Retrieved from the Internet: <URL: http://www.atcc.org/SearchCatalogs/Bacteria.cfm >
2.	American Type Culture Collection, "Enterobacter aerogenes ATCC 13048" [retrieved on October 18, 2003] Retrieved from the Internet: <URL: http://www.atcc.org/SearchCatalogs/Bacteria.cfm >
3.	American Type Culture Collection, "Escherichia coli ATCC 11229" [retrieved on October 18, 2003] Retrieved from the Internet: <URL: http://www.atcc.org/SearchCatalogs/Bacteria.cfm >

NY02:463710.1

Examiner	Date Considered
----------	-----------------

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce
(REV. 2-82) Patent and Trademark Office

Atty. Docket No.
A34293-PCT-USA

Serial No.
09/831,929

**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**

(Use several sheets if necessary)

Applicant
Ki-Seung Choi et al.

Filing Date
June 29, 2001

Group
1615

4.		American Type Culture Collection, "Klebsiella pneumoniae ATCC 1560" [retrieved on October 18, 2003] Retrieved from the Internet: <URL: http://www.atcc.org/SearchCatalogs/Bacteria.cfm >
5.		American Type Culture Collection, "Micrococcus luteus ATCC 9341" [retrieved on October 18, 2003] Retrieved from the Internet: <URL: http://www.atcc.org/SearchCatalogs/Bacteria.cfm >
6.		American Type Culture Collection, "Pseudomonas aeruginosa ATCC 15442" [retrieved on October 18, 2003] Retrieved from the Internet: <URL: http://www.atcc.org/SearchCatalogs/Bacteria.cfm >
7.		American Type Culture Collection, "Staphylococcus aureus ATCC 6538" [retrieved on October 18, 2003] Retrieved from the Internet: <URL: http://www.atcc.org/SearchCatalogs/Bacteria.cfm >
8.		American Type Culture Collection, "Staphylococcus epidermis ATCC 155" [retrieved on October 18, 2003] Retrieved from the Internet: <URL: http://www.atcc.org/SearchCatalogs/Bacteria.cfm >
11.		Laopaiboon L et al., 2002, "The effect of a quaternary ammonium biocide on the performance and characteristics of laboratory-scale rotating biological contactors" J Appl Microbiol 93(6):1051-1058
20.		Kull FC et al, 1961, "Mixtures of quaternary ammonium compounds and long-chain fatty acids as antifungal agents" <i>Appl. Microbiol.</i> 9:538-541
21.		Preliminary Examination Report for International patent Application PCT/KR99/00687 filed November 16, 1999

NY02:463710.1

Examiner

Date Considered

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not conformance and not considered. Include copy of this form with next communication to applicant.